

### 3.7. WILD AND SCENIC RIVERS

This analysis is limited to the impacts of the proposed action and alternatives on the suitability of South Fork of the Clearwater as a designated river under the Wild and Scenic Rivers Act.

#### 3.7.1. AFFECTED ENVIRONMENT

##### WILD AND SCENIC RIVERS ACT

The Wild and Scenic River Act (Section 2(b)) specifies three classification categories: Wild, scenic, and recreational. The potential classification of an eligible river is based on condition of the river, and the adjacent lands, as it existed at the time of assessment determination.

The Nez Perce Forest Plan determined that the South Fork of the Clearwater River be a candidate for study to be eligible under the Wild and Scenic Rivers Act.

Both American and Crooked rivers in the project area flow into the South Fork of the Clearwater River.

**Table 3.41: Wild & Scenic Rivers Act Criteria Applicable to the South Fork of the Clearwater**

Attribute	Wild	Recreational
Water Resource Development	Free of impoundment.	Some existing impoundment or diversion.
Shoreline Development	The presence of a few inconspicuous structures, particularly those of historic or cultural value. A limited amount of domestic grazing or hay production. Little or no evidence of past timber harvest. No ongoing timber harvest.	Some development. Substantial evidence of human activity. The presence of residential development. Lands may have been developed for a full range of agricultural uses. May show evidence of past and ongoing harvest.
Accessibility	Generally inaccessible except by trail. No roads within the river corridor. A few existing roads leading to the boundary of river.	Readily accessible by road. The existence of parallel roads on one or both banks as well as bridge crossings and other river access points.
Water Quality	Meets or exceeds Federal criteria or State standards for aesthetics; for propagation of fish and wildlife; and for recreation (swimming) except where exceeded by natural conditions.	No criteria prescribed by the Wild & Scenic Rivers Act. Rivers will not be precluded from classification because of water quality provided a water quality improvement plan exists which is in compliance with applicable Federal and State laws.

#### FOREST PLAN AMENDMENT 1

Forest Plan Amendment #1 changed Forest-wide standards for protecting streams eligible for inclusion in the Wild and Scenic River System. Forest Standards outlined in Amendment 1 were:

1. Maintain or enhance the recreation, visual, wildlife, fisheries, and water quality values of the existing and proposed Wild, Scenic, and Recreation Rivers.

2. No management activities will be carried out that would alter the eligibility or potential classification of study waterways.
3. The Wild and Scenic corridor is defined as an area extending the length of the river segment. Boundaries may include adjacent areas needed to protect the resources or facilitate management of the river corridor.
4. In eligible and existing **wild** river corridors, roads may occasionally bridge the river. Short stretches of conspicuous or long stretches of inconspicuous and well-screened roads could be allowed. Timber harvest can be allowed; however, the existing character and visual condition of the river corridor shall be maintained. Special emphasis will be placed on visual quality for activities within seen areas outside of the river corridors. In eligible and existing **recreational** river corridors, roads are allowed. Consideration will be given to the type of use and protection of resource values within the river corridor. Timber harvest can be allowed; however, the existing character and visual condition of the immediate river corridor shall be maintained.
5. Existing **wild** and **recreational** rivers are closed to mineral entry. Eligible rivers are subject to mineral exploration and claim location. Mitigation and reclamation measures will be included in approved plans to minimize surface disturbance, sedimentation, and visual impairment to the extent possible under 36 CFR 228.<sup>i</sup>
6. Manage for recreation experiences in context with the existing or proposed designation, **wild** primitive or non-primitive non-motorized, and **recreation** semi-primitive motorized or roaded natural.
7. Encourage participation and cooperation of public and private landholders in the study and implementation of river classification on non-National forest lands.
8. Cultural resource surveys for location and identification of significant resources are encouraged.
9. In the eligible river corridors, a no surface occupancy stipulation will be required in mineral leases.
10. In eligible river corridors, new dams, diversions, or hydroelectric power facilities will be prohibited to the extent of Forest Service authority. Existing facilities may be maintained.

In 1989, Associated Loggers Inc. appealed Amendment 1 on the grounds that language permitting expansion of river corridors beyond ¼-mile from either bank of a stream was arbitrary and vague. The Forest conducted negotiations with the appellant and with American Rivers Inc., at whose request the amendment was made. All parties agreed that the following sentence about streamside corridors would be deleted from Standard Number 3 in the amendment:

"Boundaries may include adjacent areas needed to protect the resources or facilitate management of the river corridor".

In 1991, a decision memo to revise Amendment #1 to the Nez Perce National Forest Plan was approved. The revision was exactly the same as the original amendment except that the above language was removed.

## **SUITABILITY STUDIES**

A suitability study is an analysis of eligible rivers to determine the ones the Forest Service will recommend to Congress as additions to the National Wild and River System. Such studies answer the questions:

1. What is the best use of the river corridor? Should the outstanding values be fully protected?
2. Assuming values are to be protected, what is the best method to protect the river corridor?

Suitability studies may be completed in several ways:

1. Separate site-specific studies for a particular river or group of rivers;
2. As part of a multi-resource landscape assessment;
3. As part of a multi-resource project analysis; or
4. In the draft Forest Planning process.

The preferred method of completing a suitability study is via the Forest Planning process, specifically: "The preferred process is to proceed with determining suitability by completing a river study in the draft forest plan. An alternative is to delay the suitability determination on eligible rivers until a subsequent separate study is carried out. If this latter alternative is used, the forest plan must provide for protection of the river area until a decision is made as to the future use of the river and adjacent lands. Unless the study process would be unduly delayed, subsequent study of eligible rivers may be coordinated with a general revision of the forest plan."

Rationale supporting that suitability studies are to be done as part of the revision of the Forest Plan are:

1. Cost effectiveness;
2. Efficiency;
3. Customer Service;
4. Appeals;
5. Defines protection; and
6. Settles the question.

In February 2000, the Nez Perce National Forest submitted a report to the Northern Regional Office stating that suitability studies of the Forest's eligible rivers (including South Fork of the Clearwater) would be conducted as part of the Forest Plan revision process. Funding to complete these studies as part of the revision was also requested.

Subsequently, a suitability study for South Fork of the Clearwater was not done as part of the American and Crooked River Project analysis. However, projects or activities identified in this FEIS will not alter the eligibility or potential classification of South Fork of the Clearwater (Revised Forest Plan Amendment #1; Standard #3).

## **OUTSTANDING RESOURCE VALUES**

An eligible river is defined as "free flowing and possessing natural and/or cultural features which are judged to be outstanding remarkable." An outstanding resource value (ORV) must be a

unique, rare, or exemplary feature that is significant at a comparative regional or national scale. The outstanding resource values considered should:

- Be located in the river or on its immediate shore lands (within ¼-mile on either side of the river);
- Contribute substantially to the functioning of the river ecosystem; or
- Owe their location or existence to the presence of the river.

Outstanding resource value features evaluated, when designating rivers, include but are not limited to: Scenic, recreational, cultural, geological, fisheries, wildlife, prehistoric, historic, hydrologic, paleontologic, ecological, botanic, etc.

**Table 3.42: Outstanding Resource Values applicable to the South fork Clearwater River**

ORV Feature	Description of Features
Scenic	The landscape element or landform, vegetation, water, color, and related factors result in notable or exemplary visual features and/or attractions. Consider seasonal variations in vegetation, scale of cultural modifications, and the length of time negative intrusions are viewed. Scenery and visual attractions may be highly diverse over the majority of the river or river segment.
Fisheries	The river is nationally or regionally an important producer of or provides exceptional habitat for resident and/or anadromous fish particularly wild stocks of TES species.
Geologic	The river or area within the river corridor contains example(s) of a geologic feature, process, or phenomena that is rare, unusual, or unique to the region of comparison.
Recreation	Recreational opportunities are unique enough to attract visitors from outside the region. Visitors are willing to travel long distances to use the river resources for recreational purposes.
Cultural	<u>Prehistoric</u> : There is evidence of occupation or use by native Americans. Sites must have rare or unusual characteristics or exceptional human interest value. <u>Historic</u> : Contains sites or features associated with a significant event, and important person, or cultural activity of the past that was rare or unusual.

The standards within revised Forest Plan Amendment 1, Federal and State laws (Endangered Species Act, Cultural Resource Protection, etc.), and agency manual and handbook policy provide consistent management criteria for four outstanding resource values including **fisheries**, **geological**, **recreational**, and **cultural**. However, management direction for the **scenic** outstanding resource value is less clear. It is well understood that activities that alter the scenic values within the ½-mile corridor cannot occur. Opinions vary on managing visuals outside of the corridor but which can still be observed from the corridor.

**Table 3.43: Management Direction for Eligible Rivers**

Scenic ORV Definition	Forest Plan Amendment #1	Region 6 Letter	Upper Selway Suitability Study	Systematic Approach to Determine Eligibility of Wild & Scenic Rivers
The landscape element or landform, vegetation and related factors result in notable or exemplary visual features	In eligible "Wild" river corridors timber harvest can be allowed, however special emphasis will be placed on visual quality for activities within seen areas outside of the	Scenery must be protected by developing appropriate VQOs to guide mgt within and outside river corridors. Outside the river corridor but within the viewshed, management discretion should be exercised in	The visual resources of the study areas include the lands within the ½-mile corridor, as well as some of the adjoining lands that are seen by users of the study area. These adjoining seen	Rare Scenic ORV; Views of <u>landforms</u> or <u>landscape</u> , which is highly unusual for the region. Exemplary: an especially good example of a <u>landscape</u> typical to

Scenic ORV Definition	Forest Plan Amendment #1	Region 6 Letter	Upper Selway Suitability Study	Systematic Approach to Determine Eligibility of Wild & Scenic Rivers
and/or attractions.	river corridors. Revision explicitly removed the language: "boundaries may include adjacent areas needed to protect the resources or facilitate mgt of the river corridor".	determining the VQOs with recognition of the national status afforded by the designation. Therefore if scenery has been identified as an ORV, this resource should be protected within and as appropriate outside the corridor.	areas become important in the non-wilderness study area, because the visual resource could be affected by other mgt activities.	the region.

### 3.7.2. ENVIRONMENTAL CONSEQUENCES

No developments or activities within the South Fork of the Clearwater River Corridor will alter the potential classification of the river into the National Wild and Scenic Rivers system prior to a suitability study.

No activities are proposed inside the river corridor.

#### **ALTERNATIVE A (NO ACTION)**

None of the outstanding resource values associated with South Fork of the Clearwater River would be affected under this alternative.

#### **ALTERNATIVES B, C, D, AND E**

Effects originating outside the corridor such as sediment or turbidity associated with road building or decommissioning and vegetative treatment (fire and timber harvest) may occur. The likelihood of such events is remote and predicting them is difficult. If such an event did happen, impacts would occur primarily to the fisheries and visual resources but would be short-lived. Observations of recent slides indicate that channel equilibrium is soon reestablished and revegetation occurs.

#### **GEOLOGIC OUTSTANDING RESOURCE VALUE**

Since no activities that could alter geologic features, such as road building, would occur within the South Fork Clearwater corridor, this outstanding resource values would not be affected.

#### **RECREATION OUTSTANDING RESOURCE VALUE**

Forest Plan direction (Amendment 1) outlines recreation within eligible recreation rivers to be managed for a semi-primitive motorized or roaded natural recreation opportunity spectrum (ROS). Recreational activities outlined in the alternatives would consist of hardening and stabilizing existing recreational sites. Such activities would not push the recreation opportunity spectrum beyond roaded natural.

#### **FISHERIES OUTSTANDING RESOURCE VALUE**

Standards and regulation associated with listed species (salmon and steelhead) would ensure this outstanding resource value as outlined in Forest Plan Amendment 1 would not be compromised. For further discussion refer to the **Fisheries** section of this document.

### **CULTURAL OUTSTANDING RESOURCE VALUE**

There would be no adverse impacts to cultural resources within the corridor cultural resource standards provided through existing state and federal laws would ensure necessary protection. Refer to **Cultural Resources** section within this chapter.

### **SCENIC OUTSTANDING RESOURCE VALUE**

There would be no impacts to scenic outstanding resource values within the South Fork Clearwater River corridor.

### **3.7.3. SUMMARY**

No Activities are proposed within or adjacent to the ½-mile eligible river corridor. Therefore this project will not pose any threats to outstanding resource values identified for South Fork of the Clearwater River.

Visual quality objectives outside the corridor will also meet Forest Plan objectives ensuring views of the landscape or landforms retain necessary attributes. Forest stand structure will mimic conditions within the natural range of variability, hence adding to not detracting from visual values.

Implementation of activities within any of the alternatives will not alter the potential classification of South Fork of the Clearwater River into the National Wild and Scenic Rivers System.

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